

REMARKS

Claims 1-3 and 5-19 are currently active.

Claim 4 has been cancelled.

Claim 1 and Claim 12 have been amended. Antecedent support for the amendment is found in Claim 4 and page 7, line 13.

The Examiner has objected to the drawings because the Examiner believes reference characters 11 and 18 have both been used to designate the pre-cast plaster panel and the one piece layer, which appear to be the same part. Respectfully, the layer is an element of the panel; they are not one and the same piece, as indicated on page 4, lines 29 and 30. The drawings are correct as filed, and applicant does not wish to change the specification or the drawings, as they accurately depict the invention.

The Examiner has objected to the abstract. The abstract has been amended to obviate this objection. The Examiner has objected to the disclosure. The disclosure has been amended to obviate this objection.

The Examiner has rejected Claims 1, 12 and 15 as been anticipated by Hutain.

Applicant respectfully traverses this rejection.

Referring to Hutain, in pertinent part, Hutain teaches one or more torsion restoring springs 148A, 148B are secured to the perimeter of the wall 146. When the trim ring 126 is slipped into the bottom end 121B of housing 120, end hooks 149 of springs 148A, 148B engage bosses, tabs, or holes in the outer wall 122 and releasably lock in place, thereby holding the trim ring tightly within and against the outer wall of the trim housing 120. See column 6, lines 44-56.

As shown in figure 2E, the aperture plate 210 has three generally circular apertures 212 through which lenses of the lamps 174C project. The aperture plate 210 is affixed along its perimeter to the inside surface of the lower end of trim housing 122. See column 10, lines 15-20.

As is clear from the above description, Hutain does not teach or suggest "a one-piece layer having a plurality of holes . . . and means for merging the layer to the building structure so the load of the layer is supported by the building structure" as found in amended Claim 1. What the applicant perceives the Examiner is identifying as the one-piece layer is supported by the fixture, not the one-piece layer. This is a critical difference of applicant's claimed invention, because applicant is trying to make the most esthetically pleasing lighting system, which is obtained by making the one-piece layer as smooth and as integrated to the

building structure as possible. This is not at all the case in regard to the teachings of Hutaïn which require the one-piece panel to be supported by the fixture itself and not the building structure. Accordingly, Claim 1 is patentable over the applied art record. Claims 2, 3 and 5-11 are patentable for the reasons Claim 1 is patentable.

Claim 12 is patentable for the reason Claim 1 is patentable. Claims 13 and 14 are dependent to parent Claim 12 and are patentable for the reasons Claim 12 is patentable.

Claim 15 is patentable for the reasons Claim 1 is patentable. Claims 16 and 17 are dependent to parent Claim 15 and are patentable for the reasons Claim 15 is patentable.

Claims 18 and 19 regard a method for forming a panel. The applied art of record does not teach or suggest these claims. Accordingly, Claims 18 and 19 are patentable.

The Examiner has rejected Claims 2-11, 13, 14, 16, 17 and 19 as being unpatentable over Hutaïn. As explained above, these claims are patentable over Hutaïn.

The Examiner has rejected Claim 18 as being unpatentable over Hutaïn in view of Merko. As explained above, Claim 18 is patentable over the applied art of record.

In view of the foregoing amendments and remarks, it is respectfully requested  
that the outstanding rejections and objections to this application be reconsidered and  
withdrawn, and Claims 1-3 and 5-19, now in this application be allowed.

Respectfully submitted,

IRWIN KOTOVSKY

By Ansel Schwartz  
Ansel M. Schwartz, Esquire  
Reg. No. 30,587  
One Sterling Plaza  
201 N. Craig Street  
Suite 304  
Pittsburgh, PA 15213  
(412) 621-9222

Attorney for Applicant

2/12/03  
Ansel Schwartz  
2/12/03  
Date

Version with markings to show changes made to the abstract

An apparatus for lighting in a building structure. The apparatus [comprises] includes a lighting fixture having at least two lamps. The apparatus includes a one-piece layer having a plurality of holes [adapted to be] aligned with the respective lamps through which light from the lamps pass. A panel for a mounted lighting fixture having at least two lamps in a building structure. A method of lighting a building. A method for forming a panel. A method for forming a panel.

Version with markings to show changes made in the specification

Page 6, lines 1-13:

In the operation of the invention, a one-piece panel 11 having holes 20 is formed by either being cut or [moled] molded. In the case of the panel 11 formed from a mold 46, as shown in figure 12, a material such as plaster of paris is poured into a mold 46 having two or more lands 48 in it of a desired shape. The lands 48 can be angled outwards, inwards or straight, depending on how the ultimate end shape of the hole 20 is desired. When the plaster has solidified, panel 11 is separated from the mold 46 and the holes 20 are formed where the lands 48 have been. If the panel 11 is to be formed by cutting, a solid piece of material, such as marble, granite, or wood, has holes 20 drilled or cut out, where desired in it. Shields 26, are then attached by adhesive to the back surface 24 of the panel 11 about the holes 20.

Version with markings to show changes made to the claims

1. An apparatus for lighting in a building structure comprising:

a lighting fixture having at least two lamps; [and]

a one-piece layer having a plurality of holes [adapted to be] aligned with the respective lamps through which light from the lamps pass[.]; and

means for merging the layer to the building structure so the load of layer is supported by the building structure.

5. An apparatus as described in Claim [4] 2 wherein the means for merging includes tape that is positioned on the building structure and the layer to hold the layer to the building structure.

12. A panel for a mounted lighting fixture having at least two lamps in a building structure comprising:

a one-piece layer having a plurality of holes adapted to be aligned with respective lamps through which light from the lamps pass[.]; and

means for merging the layer to the building structure so the load of layer is supported by the building structure.

15. A method of lighting a building comprising the steps of:

placing a one-piece panel having holes on a lighting fixture having lamps so the holes align with the lamps and light from the lamps can pass through the holes; and

securing the panel to the building structure so the load of the panel is supported by the building structure.